

5 July 1979

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT J. RYAN/DIRECTOR
SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56
INFORMATIONAL MEMORANDUM AND
ACQUISITION/ORDER OF TAKING
BLOCK 520, PARCEL 3

On November 30, 1978, the Authority voted a Minor Modification of the South End Urban Renewal Plan to allow acquisition of the vacant land at 397 Shawmut Avenue, Block 520, Parcel 3, because it presented a blighted condition on the neighborhood. Accordingly, our Real Estate Department attempted to negotiate the acquisition of the property. These negotiations did not succeed.

The Authority is therefore requested to authorize the eminent domain taking of the following parcel in accordance with Chapter 79, Section 7A. Escrowed Urban Renewal Funds will be used for this acquisition.

<u>Block/Parcel</u>	<u>Address</u>	<u>Description</u>
520-3	397 Shawmut Ave.	Vacant land

It is, therefore, recommended that the Authority adopt the Order to Taking.



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, an ORDER OF TAKING dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such

fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

JUL 5 1979

BOSTON REDEVELOPMENT AUTHORITY

By:

Robert L. Farrell

Joseph J. White

James G. Colbert

James K. Blakey

James L. Coffey

ATTEST:

Karen J. Quinn

Secretary of the Boston Redevelopment Authority

Approved as to Form:

Harold J. Carroll

Harold J. Carroll, Chief General Counsel

RTC

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is taken by this Order:

<u>BRA Block/ Parcel</u>	<u>Address</u>	<u>Assessor's Parcel</u>	<u>Supposed Owner</u>
520-3	397 Shawmut Ave.	206	The Local Board of Trustees of The Spanish Church of God. Nathaniel Toro, Julio Diaz, Hector Nieves, Manuel Barreto and Juan R. Medina and their successors in trust.

The above parcel of land hereby taken is located in Ward 9 in the City of Boston.

The names of the owners herein listed as the Supposed Owners, although supposed to be correct, is such only as a matter of information, opinion and belief and are listed for informational purposes only.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

AWARD OF DAMAGES

Award for the parcel hereby taken is:

<u>BRA Block/Parcel</u>	<u>Address</u>	<u>Damage Award</u>
520-3	397 Shawmut Ave.	\$ 925.00

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